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REPLY UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1714

PATENT
0152-0574P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Nagayuki TAKAO et al. Conf.: 2364
Appl. No.: 09/924,679 Group: 1714 ✓
Filed: August 9, 2001 Examiner: SHOSHO
For: AQUEOUS INK COMPOSITION

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INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FINAL REJECTION)

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DEC 15 2003

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES

- a. ☒ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents

and non-patent literature are included.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. ☒ **OTHER**

The following additional information is provided for the Examiner's consideration.

See the attached search report/office action issued on October 14, 2003 in a corresponding foreign application.

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(d):

after the mailing date of a Final Action under § 1.113.

See the Statement Under 37 C.F.R. § 1.97(e).

V. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☒ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

- ☒ A check in the amount of \$180.00 is enclosed for the fee required under 37 C.F.R. § 1.97(d) and as set forth in 37 C.F.R. § 1.17(p).
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$180.00 for the fee required under 37 C.F.R. § 1.97(d) and as set forth in 37 C.F.R. § 1.17(p). A triplicate copy of this paper is attached.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

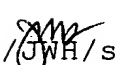
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

John W. Bailey, #32,881
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000


JWB/JWH/sh
0152-0574P

Attachment(s): ☒ PTO-1449
☒ Documents
☒ Foreign Search Report
☒ Fee
☐ Other: _____

(Rev. 09/30/03)

Form PTO-1449

ATTY. DOCKET NO.
0152-0574PAPPLICATION NO.
09/924,679**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

APPLICANT
Takahiro FURUTANI et al.FILING DATE
August 9, 2001GROUP
1714**U.S. PATENT DOCUMENTS**

EXAMINER TRADEMARK OFFICE	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 5,169,435	A	1992-12-08	Sherman et al.			
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	GB	2 291 066	A	1996-01-17	UNITED KINGDOM			X	
	EP	0 875 544	A1	1998-11-04	EUROPE			X	

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



INVESTOR IN PEOPLE

Your ref: N.83385 TAC/JEB
Application No: GB 0119666.6
Applicant: HITACHI MAXWELL LIMITED

Examiner: Dave McMunn
Tel: 01633 814984
Date of report: 14 October 2003

Latest date for reply: 14 April 2004

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Patents Act 1977 Examination Report under Section 18(3)

Clarity and Support

1. Claims 1-4, at least, would not appear to comply with Section 14 (5) (b) in that the limits of the monopoly appear impossible to determine without anyone testing every single ink composition they wished to make or already have to see whether or not it fell within the scope of these claims. This would appear an undue burden to place on others. The constituents set out in claim 1 would all appear to be common constituents used in aqueous inks and the claims would appear capable of being defined in terms of the components used and the percentages thereof rather than by result as at present.

Novelty or inventive step

2. Although your invention is not set out clearly, it seems that it might not be new or that it might be obvious in view of what is disclosed in the following documents:

GB 2,291,066 A (ARMSTRONG)
EP 0,875,544 A1 (SEIKO)
US 5,619,435 (SHERMAN & FEENEY).

3. You should consider these documents carefully when amending your specification.

4. Each of these uses the constituents required by your claims and some of the aqueous ink compositions falling within the disclosures of these documents would appear to, of necessity, fall within the scope of your claims.

5. The docs are cited, for the first time, as examples only of a number of like documents. Copies of these documents are enclosed for your convenience and any inconvenience caused by their late inclusion is regretted.

Further search

6. A further search may be necessary after you have amended the specification.